

U.S. ENVIRONMENTAL PROTECTION
AGENCYOffice of Pesticide Programs
Registration Division (7505P)
1200 Pennsylvania Avenue, N.W.
Washington, D.C. 20460EPA Reg.
Number:
73049-453Date of
Issuance:
JUN - 5 2008Term of Issuance:
ConditionalName of Pesticide Product:
CYPER-ACTIVE 515

NOTICE OF PESTICIDE:

☒ Registration
☐ Reregistration

(Under FIFRA as amended)

Name and Address of Registrant (include ZIP Code):

Valent BioSciences
870 Technology Way, Suite 100
Libertyville, IL 60048

Note: Changes in labeling differing in substance from that accepted in connection with this registration must be submitted to and accepted by the Registration Division prior to use of the label in commerce. In any correspondence on this product always refer to the above EPA registration number.

On the basis of information furnished by the registrant, the above named pesticide is hereby registered/reregistered under the Federal Insecticide, Fungicide and Rodenticide Act.

Registration is in no way to be construed as an endorsement or recommendation of this product by the Agency. In order to protect health and the environment, the Administrator, on his motion, may at any time suspend or cancel the registration of a pesticide in accordance with the Act. The acceptance of any name in connection with the registration of a product under this Act is not to be construed as giving the registrant a right to exclusive use of the name or to its use if it has been covered by others.

This product is conditionally registered in accordance with FIFRA sec. 3(c)(7)(A), provided that you:

1. You will submit and/or cite all data required for registration/reregistration of your product under FIFRA sec. 3(c)(5) when the Agency requires all registrants of similar products to submit such data; and submit acceptable responses required for reregistration of your product under FIFRA section 4.
2. You will make the following label changes before you release the product for shipment:

a. Revise the EPA Registration Number to read "EPA Registration Number 73049-453."

Signature of Approving Official:

Date:

b. The word "New" may be used for six months from the date of the registration.

c. Refer to PR notice 2007-4 and revise the disposal statement as appropriate.

d. Delete "Economical". This claim is unacceptable since such a term is vague, subjective and unsubstantiated.

e. Delete "No Odor" from the front panel bullet. This is a subjective term depending on the individual and unacceptable.

f. Under Directions for Use add "removed or" to the sentence ending, "... all food processing surfaces and utensils should be removed or covered during treatment ... etc.

g. Under Directions for Use delete "floor drains and mop closets" since these are inappropriate places for a total release fogger.

h. On the front panel delete "Seedhouses" since this site would trigger precautions under the worker protection standard.

ACUTE TOXICITY REVIEW

STUDY	MRID	CATEGORY	CLASSIFICATION
Acute Oral	47135604	IV	Cited
Acute Dermal	47135605	IV	Cited
Acute Inhalation	47135606	IV	Cited
Eye Irritation	47135607	III	Cited
Dermal Irritation	47135608	IV	Cited
Dermal Sensitization	47135609	Positive	Cited

A copy of the reviews are enclosed for your records.

3. The argument to allow a general cockroach claim on the basis of data for German and Oriental cockroaches is accepted. You must submit to the Agency corroborating data for American cockroaches within one year of the date of this registration notice.

4. You are currently generating studies corresponding to guidelines 830.6317 (one year storage stability) and 830.6320 (corrosion characteristics). Upon completion the results must be submitted to the Agency.

5 Please note that a notice of availability of EPA's registration eligibility document (RED) for product containing Cypermethrin was published in the FR August 16, 2006 (Vol 71 No 158 page 47210-47212). Additional data and/or labeling changes may be required for products containing Cypermethrin.

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6. Please submit two (2) copies of your final printed labeling before releasing the product for shipment. If these conditions are not complied with, the registration will be subject to cancellation in accordance with FIFRA section 6(e). Your release for shipment of the product bearing amended labeling constitutes acceptance of these conditions. A stamped copy of the label is enclosed for your records.

If you have any questions regarding this action, please contact Linda A. DeLuise of my team at (703) 305-5428.

6/3/08

Replace all previous labels

CYPER-ACTIVE® 515

[Alternate Brand Names: Cyper-Active® TRA; Cyper-Active® Fumigator]

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ACCEPTED
with COMMENTS
to EPA Letter Dated

JUN - 5 2008

- [New formula
- [Economical] [Do-It-Yourself] Pest Control
- Ready-To-Use
- For indoor use
- Treats up to 6000[5000][4000][3000][2000] cu ft
- For Use in areas including Apartments, Attics, Basements, Boats, Boxcars, Cabins, Campers, Garages, Homes, Household Storage Areas, Kennels, Pet Sleeping Areas, Rooms, Ship Cabins, Trucks, Washrooms and Non- Food/Feed Areas of Closed Barns, Day Camps, Horse Stables, Hospitals, Hotels, Industrial Plants, Motels, Preschools, Seedhouses, Sheds, Theaters And Warehouses
- Non-Staining; No [Wet] Oily Residues
- No Odor; Water-Based Formula
- Keeps killing German cockroaches for 2 weeks
- Kills by Contact
- Kills: [Ants (except fire, carpenter & Pharoah ants)], [Argentine ants, harvester ants], Booklice, Carpet Beetles, Centipedes, Cockroaches, [German cockroaches, Oriental cockroaches], Confused Flour Beetles, Crickets, Earwigs, Firebrats, Fleas, Flies, Fruit Flies, Gnats, Grasshoppers, Houseflies, Midges, Millipedes, Mole Crickets, Mosquitoes, [(Southern House Mosquito) (Yellow Fever Mosquito)] Palmetto Bugs, Pillbugs, Rice Weevils, Saw-Toothed Grain Beetles, Silverfish, Small Flying Moths, Sowbugs, Spiders (except brown recluse and black widow), Brown Dog Ticks & Waterbugs
- (for 2 oz size only) - Convenient size to treat individual rooms]

Under the Federal Insecticide,
Fungicide, and Rodenticide Act
as amended, for the pesticide
registered under EPA Reg. No.

73049-453

ACTIVE INGREDIENT:

Cypermethrin*0.515 %

OTHER INGREDIENTS** : 99.485 %
100.00 %

*Cis/trans ratio: max. 55% (+/-) cis and min. 45% (+/-) trans

**Contains Petroleum Distillates

PRECAUCION AL CONSUMIDOR: Si usted no lee ingles, no use este producto hasta que la etiqueta le haya sido explicada ampliamente.

(TO THE USER: If you cannot read English, do not use this product until the label has been fully explained to you.)

EPA Reg. No. 73049-

EPA Est. No.

**KEEP OUT OF REACH OF CHILDREN
CAUTION**

See Side/Back Panel for Additional Precautions

NET CONTENTS:

Replace all previous labels

FIRST AID	
If in eyes:	<ul style="list-style-type: none"> • Hold eye open and rinse slowly and gently with water for 15-20 minutes. • Remove contact lenses, if present, after the first 5 minutes, then continue rinsing. • Call a poison control center or doctor for treatment advice.
If swallowed:	<ul style="list-style-type: none"> • Immediately call a poison control center or doctor. • Do not induce vomiting unless told to do so by a poison control center or doctor. • Do not give any liquid to the person. • Do not give anything by mouth to an unconscious person.
HOT LINE NUMBER	
Have the product container or label with you when calling a poison control center or doctor. In case of <i>Medical</i> emergencies or health and safety inquiries or in case of fire, leaking or damaged containers, information may be obtained by calling 1-877-315-9819.	
NOTE TO PHYSICIAN	
Contains petroleum distillate – vomiting may cause aspiration pneumonia.	

PRECAUTIONARY STATEMENTS**Hazards To Humans & Domestic Animals**

Caution: Causes moderate eye irritation. Avoid contact with eyes or clothing. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum or using tobacco. Prolonged or frequently repeated skin contact may cause allergic reactions in some individuals.

Physical or Chemical Hazards

Contents under pressure. Do not use or store near heat or open flame. Do not puncture or incinerate container. Exposure to temperatures above 130°F may cause bursting. This product contains a highly flammable ingredient. It may cause a fire or explosion if not used properly. Follow the "Directions for Use" on this label carefully.

Highly Flammable Ingredient (FLAMMABILITY ICON)
 Ingrediente Altamente Inflamable

STOP. Read entire label before use.

DIRECTIONS FOR USE

It is a violation of Federal law to use this product in a manner inconsistent with its labeling.

One 6 ounce aerosol can treats up to 6,000 cubic feet of unobstructed area (a room 30 ft x 25 ft with an 8 foot ceiling).

Clean and treat pet sleeping areas. Use an approved product registered for treating fleas and ticks on cats and/or dogs before allowing pets to re-enter area. Make sure surfaces are dry before allowing pets and small children to re-enter treated area.

Do not use in food/feed areas of food/feed handling establishments, restaurants or other areas where food/feed is commercially prepared or processed. Do not use in serving areas while food/feed is exposed or facility is in operation. Serving areas are areas where prepared foods are served such as dining rooms but excluding areas where food may be prepared or held. In the home all food processing surfaces and utensils should be covered during treatment or thoroughly washed before use.

6/3/08

6/7
Replace all previous labels

ALTERNATE USE DIRECTIONS

One 5 ounce aerosol can treats up to 5,000 cubic feet of unobstructed area (a room 25 ft x 25 ft with an 8 foot ceiling).

OR

One 4 ounce aerosol can treats up to 4,000 cubic feet of unobstructed area (a room 20 ft x 25 ft with an 8 foot ceiling).

OR

One 3 ounce aerosol can treats up to 3,000 cubic feet of unobstructed area (a room 18.5 ft x 20 ft with an 8 foot ceiling).

OR

One 2 ounce aerosol can treats up to 2,000 cubic feet of unobstructed area (a room 12.5 ft x 20 ft with an 8 foot ceiling).

For use in non-food/feed areas such as garbage rooms, lavatories, floor drains (to sewers), entries and vestibules, offices, locker rooms, machine rooms, boiler rooms, garages, mop closets and storage (after canning or bottling).

For [maximum kill] [best performance] [best results]:

HOW TO USE:

Step 1: PREPARATION

Open cupboards, cabinets, trunks, and interior doors, [such as closets,] in area to be treated. Close outside doors and windows and turn off fans and air conditioning. Remove pets, birds, and tightly cover or remove fish bowls and aquariums before fogging. Shut off fish tank air flow systems. Cover or remove plants before application. Cover waxed wood floors, window sills and cover or remove waxed furniture in the immediate area surrounding the fogger (newspaper may be used). Remove or cover exposed foods, dishes and utensils. Cover all food processing surfaces during treatment or thoroughly clean before using. Temporarily disconnect smoke alarms.

DO NOT use more than one fogger per room. DO NOT use in small, enclosed spaces such as closets, cabinets or under counters or tables. Do not use in a room 5 ft. x 5 ft. or smaller; instead, allow fog to enter from other rooms. **Turn off ALL ignition sources such as pilot lights (shut off gas valves), other open flames or running electrical appliances that cycle off and on (i.e., refrigerators, thermostats, etc).** Call your gas utility or management company if you need assistance with your pilot lights.

Step 2: ACTIVATION OF FOGGER

[When ready to use the fogger] SHAKE CAN WELL [JUST BEFORE USING]. Using several layers of paper (such as paper towels or newspaper), place on floor in center of room to be treated. NOTE: Do not place fogger on water-stainable surface. Tilt [can opening] [aerosol can] away from face (aerosol can sprays straight up) and depress tab firmly with thumb until it clicks into locked position. [Set] [place] fogger on [news]paper, leave the room and close door[s]. Keep area closed for 2 hours. Then air out room by opening all doors and windows for at least 30 minutes. Turn smoke alarms, aquariums, fans and air conditioning back on.

STORAGE AND DISPOSAL

Do not contaminate water, food or feed by storage or disposal.

Storage: Do not store near heat or open flame. Store in cool dry area away from children.

Container Disposal: Do Not Puncture or Incinerate! **If empty:** Place in trash or offer for recycling if available. **If partly filled:** Call your local solid waste agency for disposal instructions.

[IMPORTANT: READ BEFORE USE]

Read the entire Directions for Use, Conditions, Disclaimer of Warranties and Limitations of Liability before using this product. If terms are not acceptable, return the unopened product container at once.

By using this product, user or buyer accepts the following conditions, disclaimer of warranties and limitations of liability.

CONDITIONS: The directions for use of this product are believed to be adequate and must be followed carefully. However, it is impossible to eliminate all risks associated with the use of this product. Ineffectiveness or other unintended consequences may result because of such factors as weather conditions, presence of other materials, or the manner of use or application, all of which are beyond the control of Valent BioSciences Corporation. All such risks shall be assumed by the user or buyer.

DISCLAIMER OF WARRANTIES: TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, VALENT BIOSCIENCES CORPORATION MAKES NO OTHER WARRANTIES, EXPRESS OR IMPLIED, OF MERCHANTABILITY OR OF FITNESS FOR A PARTICULAR PURPOSE OR OTHERWISE, THAT EXTEND BEYOND THE STATEMENTS MADE ON THIS LABEL. No agent of Valent BioSciences Corporation is authorized to make any warranties beyond those contained herein or to modify the warranties contained herein. To the extent consistent with applicable law, Valent BioSciences Corporation disclaims any liability whatsoever for special, incidental or consequential damages resulting from the use or handling of this product.

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[Notice: To the extent consistent with applicable law, buyer assumes all responsibility for safety and use not in accordance with directions.]

[Guaranteed Results.]

[Guaranteed results or your money back. If you are not satisfied with this product for any reason, send your written request for a refund to the address on this box, together with the original dated store receipt showing the price you paid. Please allow 6-8 weeks for processing.]

Valent BioSciences Corporation, 2007

Cyper Active is a registered trademark of Valent BioSciences Corporation.

[Contains no CFCs or other ozone depleting substances. Federal regulations prohibit CFC propellants in aerosols.]

Valent BioSciences Corporation

Environmental Science Division

870 Technology Way

Libertyville, IL 60048

[] denote alternate text in addition to any subset of the directions for use